

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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S.W., by her parent and natural guardian, J. W.,
individually and on behalf of all others similarly
situated; A.W., by her parent and natural guardian
A.W., individually and on behalf of all others similarly
Situating; B.F., by his parent and natural guardian, P.F.,
individually and on behalf of all others similarly situated;
J.F. and P.F., by their parent and natural guardian,
A.F., individually and on behalf of all others similarly
situated; L.T., by her parent and natural guardian, R.T.,
(WCC) individually and on behalf of all others similarly
situated,

**DECLARATION
IN SUPPORT OF
MOTION TO
DISMISS**

07 CIV 57808

Plaintiffs,

- against -

SHEILA WARREN, sued individually, and as
Director of Early Intervention Services for Orange County,
ORANGE COUNTY DEPARTMENT OF HEALTH,
COUNTY OF ORANGE.

Defendants.

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SHARON N. BERLIN, pursuant to 28 U.S.C. § 1746, hereby declares as
follows:

1. I am a member of Lamb & Barnosky, LLP, attorneys of record for
defendants the COUNTY OF ORANGE, the ORANGE COUNTY DEPARTMENT
OF HEALTH, and SHEILA WARREN, sued individually, and as Director of Early
Intervention Services for Orange County.

2. This declaration is submitted, along with the accompanying Memorandum
of Law, in support of the defendants' motion to dismiss the Complaint pursuant to
Fed.R.Civ.P. 12(b)(1) and 12(b)(6).

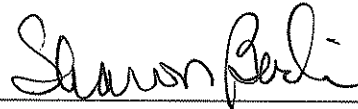
3. The following Exhibits are annexed hereto in support of the defendants' motion:

Exhibit "A" - The Complaint in this action.

WHEREFORE, for all of the reasons set forth in the affidavits submitted in support of this motion and in the accompanying Memorandum of Law, it is respectfully requested that an order be entered dismissing the Complaint as against the defendants, and granting such other and further relief as the Court may deem just and proper.

I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: October 16, 2007

A handwritten signature in cursive script, appearing to read "Sharon Berlin", is written over a horizontal line.

SHARON N. BERLIN